

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADVANCE MAGAZINE PUBLISHERS INC. d/b/a
THE CONDÉ NAST PUBLICATIONS,

Plaintiff,

v.

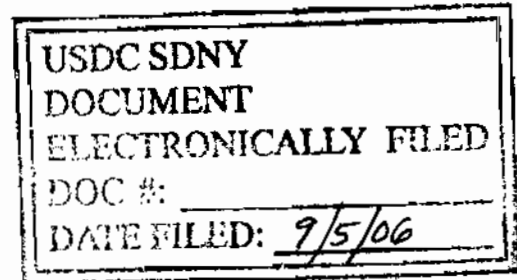
ACTIV8NOW, LLC and ACTIVE8MEDIA, LLC,

Defendants,

v.

ADVANCE PUBLICATIONS, INC. and RICHFX, INC.,

Third Party Defendants.



CIVIL ACTION NO.:

05-CV-7516 (KMK) (DFE)

~~PROPOSED~~ STIPULATED]
AMENDMENT TO CASE
MANAGEMENT PLAN AND
SCHEDULING ORDER

The Case Management Plan and Scheduling Order dated December 5, 2005 is hereby amended as follows. Unless otherwise changed below, the pending dates set forth in the Case Management Plan and Scheduling Order dated December 5, 2005 shall govern:

1. All *fact* discovery, including depositions of fact witnesses, is to be completed by January 26, 2007.
2. Requests to Admit are to be served no later than February 5, 2007.
3. Commencement of *expert* discovery: November 6, 2006; all *expert* disclosures, including reports, production of underlying documents and expert depositions are to be completed by February 16, 2007:
 - a. Initial expert reports: December 18, 2006.
 - b. Rebuttal expert reports: January 15, 2007.

SO ORDERED

DATED: New York, New York
September 5, 2006

Douglas F. Eaton
DOUGLAS F. EATON / ~~KENNETH M. KATAS~~
UNITED STATES DISTRICT JUDGE
MAGISTRATE